(1)

IN THE HIGH COURT OF CHHATTISGARH
AT BILASPUR

WRIT PETITION No. 410 2002

PETITIONER : Banke Bihari Dubey,
aged about 31 years,
S/o Laxmi Prasad Dubey,
Gram Teliapuran, Tah. Lormi,
Distt. Bilaspur (C.G.).

VERSUS

RESPONDENTS :
1. State of Chhattisgarh
Through : Secretary
Dept. of Panchayat,
Mantralay, Raipur (C.G.).

2. Chief Executive Officer,
Janpad Panchayat Lromi,
Distt. Bilaspur (C.G.)

3. Gram Panchayat Teliapuran,
Through : Secretary,
Gram Panchayat Teliapuran,
Tah. Lormi, Distt. Bilaspur

4. Chief Executive Officer,
District Panchayat,
Bilaspur (C.G.)

P.R. No. 2005/pr
Presented by Shri Pradeep Singh
dated 24.1.02

13/9/02

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

56

आदेश पत्रक

W.P. No 410/03

मामला क्रमांक ..... सन् 200

विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

26-3-2004

Shri Pratik Sharma, counsel for the petitioner.

Shri Satish Gupta, Govt. Advocate for the respondent No.1.

Shri Ranbir Singh, Advocate for the Respondents No. 2 and 4.

None is present on behalf of the Respondent No.3, though served.

Heard learned counsel for the parties.

The petitioner has preferred this petition under Article 226/227 of the Constitution of India in which the main grievance of the petitioner is that he worked on the post of Shiksha Karmi (Guruji) in the Education Guarantee Center, Village- Pulpara, Teliapuran from 1.6.1999 to 6.2.2000 and his honorarium was fixed as Rs.500/- per month vide order dt. 7.4.1999 (Annexure P/3) but that amount has not been paid to him.

Return has been filed on behalf of the Respondent No.2 Chief Executive Officer, Janpad Panchayat Lormi. In spite of the service no one is present on behalf of the Respondent No.3 Gram Panchayat Teliapuran. In para-14 of the return filed by the Respondent No.2 it has been mentioned that the Education Guarantee Center of Pulpara Teliapuran was not sanctioned therefore the payment could not be made, as soon as the sanction is made the payment will be made to the petitioner.

A perusal of the order dt. 6.4.1999 (Annexure P/2) reveals that the Respondent No.2 had approved the opening of the Education Center at Teliapuran and pursuant to that order the Sarpanch of

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(57)

आदेश पत्रक

410/03

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Gram Panchayat Teliapuran Vikas Khan – Lormi vide order dt. 7.4.1999 appointed the petitioner on the post of Shiksha Karmi (Guruji) and the honorarium was fixed Rs. 500/- p.m.

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, as the petitioner has not been paid his honorarium from 1.6.1999 to 6.2.2000, the Respondents No. 2 and 3 are jointly and severally directed to make the above payment of the petitioner within a period of one month from today. As the petitioner has not been paid the above amount since the year 2000 and he has been forced to file this writ petition, therefore the petitioner is also entitled for cost of this writ petition which is quantified as Rs. 1000/-.

With the above observations this petition is disposed of finally.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge